

REMARKS

The Applicants thank the Examiner for the careful examination of this application. Claims 1-5, 7, 8, and 10-20 are currently pending. By this Amendment, claim 1 has been amended, and new claims 17-20 have been added. Based on the foregoing amendments and the following remarks, the Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-5, 7-8, and 10-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,533,145 to Shofner in view of U.S. Patent No. 5,394,591 to Jornot. Claim 1 is the independent claim.

Independent claim 1, as amended, recites “a closed circuit, including said electronic machine control device and said electronic image evaluating unit, wherein said electronic machine control device utilizes results of said electronic image evaluating unit via said closed circuit to control and optimize at least one of speed and friction parameters of at least one of the plurality of roll assemblies.” Support for this claim is found, *inter alia*, at page 9, lines 5-20 and page 12, lines 13-23 of the application as filed. The Applicants submit that neither Shofner nor Jornot, nor any combination of the two, disclose or suggest such an arrangement.

First, Shofner does not disclose or suggest a “closed circuit to control and optimize at least one of speed and friction parameters of at least one of the plurality of roll assemblies,” as claimed. Rather, Shofner discloses an imaging apparatus in conjunction with textile processing, where images are analyzed to find “entities of interest in the web” such as foreign particles. (See col. 13, lines 34-40.) After “entities of interest” are located, the apparatus identifies, classifies, and removes the “entities of interest,” using blasts of compressed air. (See col. 15, lines 57-66; col. 16, lines 23-52.) Nowhere does Shofner disclose or suggest “optimiz[ing] at least one of speed and friction parameters of at least one of the plurality of roll assemblies,” as recited by claim 1.

Furthermore, the portions of Shofner cited by the Examiner do not support the rejection of claim 1. In the Response to Remarks section, the Examiner cites to column 8, lines 44-46, and lines 54-57 of Shofner. However, these passages of Shofner have ***nothing*** to do with optimizing at least one of speed and friction parameters of at least one of the plurality of roll assemblies. Rather, the passage at column 8, lines 44-46 simply refers to the fact that the CCD and image grating assembly 158 view the web four separate times (see col. 8, lines 35-44), thereby resulting in greater accuracy in locating the entities of interest. Further, the reference to a speed detector at column 8, lines 54-57 is used to monitor the speed of the web so that detected “items of interest” can be tracked to a location downstream, where they will be removed or excluded using blasts of compressed air. (See col. 16, lines 18-27, 35-42.) Nowhere does Shofner disclose or suggest that the speed detector adjusts the speed of the web. Moreover, nowhere does Shofner disclose or suggest ***optimizing at least one of speed and friction parameters of at least one of the plurality of roll assemblies.***

In addition, Jornot does not provide the missing disclosure of “a closed circuit, including said electronic machine control device and said electronic image evaluating unit, wherein said electronic machine control device utilizes results of said electronic image evaluating unit via said closed circuit to control and optimize at least one of speed and friction parameters of at least one of the plurality of roll assemblies.” Jornot discloses an apparatus for sensing various attributes of a sliver, but Jornot does not disclose or suggest the use of a camera to do so. Rather, Jornot discloses the use of transistors (e.g., capacitors) to measure the sliver. (See col. 9, lines 19-32.) In addition, Jornot does not disclose or suggest “utilize[ing] results of said electronic image evaluating unit via said closed circuit to control and optimize at least one of speed and friction parameters of at least one of the plurality of roll assemblies.” To the extent Jornot can be considered to have any type of closed circuit feedback control, it is used “for correcting the identification field or performance characteristic χ of identification-field element 50” (See col. 12, lines 21-37.) Therefore, Jornot does not provide the missing disclosure of Shofner.

Accordingly, neither Shofner nor Jornot, nor any combination of these two references, discloses or suggests “a closed circuit, including said electronic machine control device and said electronic image evaluating unit, wherein said electronic machine control device utilizes results of said electronic image evaluating unit via said closed circuit to control and optimize at least one of speed and friction parameters of at least one of the plurality of roll assemblies.” Accordingly, claim 1, and its dependent claims 4-5, 7, 8, and 10-20, are patentable over any combination of Shofner and Jornot.

New Claims

New dependent claims 17-20 have been added to further define the invention. The Applicants respectfully submit that these new claims further distinguish the invention over the prior art. Accordingly, the Applicants' respectfully request allowance of new claims 17-20.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Applicants: BREUER et al.
Appl. No. 10/000,454

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Date: 6/13/2006

Steve Schwarz

Steven J. Schwarz
Attorney for Applicants
Registration No. 47,070
VENABLE LLP
P.O. Box 34385
Washington, D.C. 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

DC2/753217v2